
UC San Diego PACAOS Implementing Procedures

~~18.00 UCSD-Based~~ VOLUNTARY STUDENT CONTRIBUTIONS AND COMPULSORY STUDENT FEES

~~18.10.I~~ ESTABLISHMENT OR INCREASE OF FEES

Voluntary student contributions and compulsory student fees must be approved by the [Chancellor](#). Compulsory fees must also be approved either by The Regents or by the President.

~~R18.10.10~~ Requests for the establishment or increase of a compulsory fee or voluntary student contribution must be submitted for review to the [Vice Chancellor-Student Affairs](#) at least five weeks prior to the proposed date of the referendum (~~described below~~) for establishing the fee or contribution. In addition, such requests for graduate or undergraduate campus-wide compulsory fees or voluntary student contributions must be endorsed by the Assistant Vice-Chancellor Student Life. Requests for college-based compulsory fees or voluntary student contributions must be endorsed by the official student government of the College, the College Dean of Students and College Provost.

A request to establish a compulsory fee to be assessed on UCSD students must be endorsed by the student government elected to represent the students affected by the proposed fee prior to the setting of the date for the referendum.

A. The request for the establishment of campus-wide undergraduate student compulsory fees must be endorsed by the UCSD Associated Students Council.

B. The request for the establishment of campus wide graduate student compulsory fees assessed on graduate students must be endorsed by the UCSD Graduate Student Association.

C. The request for the establishment of college-based compulsory fees must be endorsed by the duly appointed college governmental body.

All requests must contain the following information:

Aa. Date the proposed referendum was approved by the appropriate student governmental body and terms of passage (for example, approved by 2/3 vote of the College Council).

Bb. Proposed referendum date.

Cc. Proposed fee level and effective date of the new fee level.

Dd. Purpose of the new fee or fee increase and how the fee revenue will be used (i.e., justification).

Ee. A statement which shall specify the amount of the "return-to-aid" from the proposed fee for financial aid.

Ff. Proposed ballot language. (The ballot language should include a statement that the fee will be charged each academic quarter beginning in [Insert Date]).

Gg. Approved criteria (i.e., referendum guidelines) for establishing or increasing a compulsory fee, including voting pool requirements and requirements for at least a majority vote approval (for example, 20% of registered students with passage by a simple majority).

Hh. A statement that the proposed voting criteria are in compliance with the applicable student fee policies described in Section 18.00 of the UCSD Policies and Procedures Applying to Student Activities and, for a college-based request, that it also complies with the college Election/Referendum Guidelines or Constitution and Bylaws.

Ii. Election Procedures -- How the election will be conducted (e.g., paper ballot, TritonLink).

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j. Campaign Procedures -- How the election, presenting both pro and con positions, will be publicized to the affected student body, and in what form.

k. A copy of the approved applicable student government constitutions, bylaws and/or guidelines.

~~18.10.11~~ The proposed referendum must be approved by the [Vice Chancellor-Student Affairs](#) and the [Chancellor](#) prior to the election.

~~18.11. Voluntary Student Contributions: Consistent with the University of California Guidelines for Implementing a Voluntary Student Fee Pledge System, the criteria described in subsections 18.11.10 and 18.11.11 and the procedures described in subsections 18.11.12 to 18.11.14., inclusive, permit use of the UCSD student registration process or other campus process to collect voluntary contributions from students in support of UCSD student governments and Registered Student Organizations.~~

Comment [BW1]: UCOP Guidelines for Implementing a Voluntary Student Fee Pledge System (Guidelines)

~~18.11.10. The programs and activities supported by UCSD voluntary student contributions must serve the interests of enrolled UCSD students and the educational purposes of the University.~~

Comment [BW2]: PACAOS 90.10 2nd sentence

~~18.11.11. The programs and activities supported by UCSD voluntary student contributions must be in compliance with all applicable UCSD policies, UC policies, and the law.~~

Comment [BW3]: PACAOS 90.10 last sentence

~~18.11.12. A voluntary student contribution must receive student approval either through a referendum as detailed in Section 18.11.15 or, subject to the concurrence of the Vice Chancellor-Student Affairs, the voluntary contribution may be approved through a duly adopted resolution by an authorized student government representing the students from whom the contribution is to be collected.~~

~~18.11.13. The wording of the referendum to establish the voluntary student Pledge System shall be prepared in accordance with this Policy and in conformance with ASUCSD and/or GSAUCSD election procedures or other applicable UCSD regulations and procedures.~~

Comment [BW4]: PACAOS 90.12

~~18.11.14. The referendum ballot or the resolution must contain a written disclaimer stating that the voluntary contribution does not constitute sponsorship or endorsement by UCSD or the University of the programs or activities supported by the voluntary student contribution. In the case of programs and activities of student governments, the disclaimer must state that a voluntary student contribution does not constitute sponsorship or endorsement by any unit of the University other than the student government.~~

Comment [BW5]: PACAOS 90.14

18.11.15. II. REFERENDUM VOTING RULES FOR THE REFERENDUM

In a referendum during any election, the referendum will pass if:

A. The number of students casting ballots equals or exceeds 20% of all students eligible to vote during the academic quarter in which the special or general election is held; and

B. The number of affirmative votes exceeds half the total votes cast on the specific referendum question.

~~18.11.15.10. In a referendum during a general election, the referendum will pass if (a) the number of students casting ballots equals or exceeds the average number of students who cast ballots in the three previous general elections and (b) the votes in favor exceed the number of votes cast against the specific referendum question and (c) the number of votes in favor exceed the number of abstentions on the specific referendum question.~~

~~18.11.15.11. In a referendum during a special election, the referendum will pass if (a) the number of students casting ballots equals or exceeds 20% of the affected students registered at UCSD during the academic quarter in which the special election is held and (b) the number of affirmative~~

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votes exceeds half the total votes cast on the specific referendum question and (c) the number of votes in favor exceed the number of abstentions on the specific referendum question.

~~18.11.16.~~ Whether student approval of voluntary student contributions is through referendum or resolution, voluntary student contributions may only be implemented with the approval of the [Chancellor](#), who may take into account other relevant matters.

~~18.11.17. Students shall not be assessed a voluntary contribution unless the student elects, by means of a positive check-off, to authorize the assessment of such contribution for the benefit of the student government or Registered Student Organization.~~

Comment [BW6]: PACAOS 90.11

III. ~~18.11.18.~~ VOLUNTARY STUDENT CONTRIBUTIONS ("Pledge System")

~~18.11.18.10. The Pledge System is the vehicle by which a student may act affirmatively to contribute to a student government or Registered Student Organization by pledging to pay a voluntary student contribution each academic term for the duration of the student's academic career at UCSD unless reversed by the student in writing or other format as provided by the written agreement for the collection of the voluntary student contribution.~~

Comment [BW7]: Guidelines 1

~~18.11.18.11. A Pledge System may be implemented and maintained only with a valid written agreement which is negotiated between the student government or Registered Student Organization and in a manner consistent with UC Policy Section 90.00 Policy on the Campus Assessment of Voluntary Student Contributions to Student Governments and Registered Campus Organizations and UCSD Policies and Procedures Applying to Student Activities, Section 18.00.~~

Comment [BW8]: Guidelines 3

~~18.11.18.12. The written agreement to establish a Pledge System shall, at a minimum, include the following provisions:~~

~~a. The text and format of the Pledge System materials.~~

~~b. A timeline for implementing the Pledge System.~~

~~c. Procedures to inform students of the Pledge System.~~

~~d. The procedures for collecting, verifying, and submitting pledges, including the locations for submitting pledges.~~

~~e. A date shall be set for each academic term by which time all pledges must be submitted in order to be effective for the next term's billing statement.~~

~~f. The procedures for reversing pledges.~~

~~g. The procedures for collecting the fee and remitting the amounts collected.~~

~~h. The procedures for how outstanding accounts receivable will be handled.~~

~~i. The procedures to reimburse UCSD for costs it incurred in the implementation of the written agreement, including but not limited to the collection and processing of the students' pledge.~~

~~j. The methods for distributing pledge forms.~~

Comment [BW9]: Guidelines 3.1

~~k. The term, the conditions and procedures for amending, renewing or extending the written agreement.~~

~~l. The conditions for conducting student referenda related to the voluntary student contribution.~~

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m. The procedures for resolving disputes that may arise between the parties in connection with the implementation of the written agreement.

n. The procedures for discontinuing collection of the fee or use of the Pledge System.

Comment [BW10]: Guidelines 3.2

o. Indemnification provisions that UCSD routinely includes in other written agreements, including but not limited to, indemnification provisions in the case of Registered Student Organizations that provide that the Registered Student Organization shall indemnify, defend, and hold harmless the University/ UCSD in any legal action which may arise in connection with the written agreement. In the case of student government, provisions that student government funds will be used to pay for the costs of defense and any judgment in any legal action which may arise in connection with the agreement.

Comment [BW11]: Guidelines 3.3

p. For the a continuation referendum to pass, the vote requirements are the same as in Section 18.11.15ll above. If the continuation referendum is not held or does not achieve passage, the pledge system in question will be terminated.

Comment [BW12]: Guidelines 6.1

18.11.18.25. For each student who has pledged to pay the voluntary student contribution, the contribution shall be itemized on the student fee bill with other fees and included in the total amount due for that billing period. A check-off mechanism to opt-out of the contribution or reverse the pledge shall not be included on the billing statement. However billing statements will direct students to information about non-payment procedures and voluntary contribution revocation procedures.

Comment [BW13]: Guidelines 7

18.11.18.26. The voluntary student contribution pledge mechanism should be implemented as soon as possible, as provided in the written agreements, and not later than two academic terms following the student vote in favor.

Comment [BW14]: Guidelines 7.1

18.11.18.27. The actual costs of implementing and collecting the voluntary student contribution (as defined in Section 8 of the University of California Guidelines for Implementing a Voluntary Student Fee Pledge System) shall be assessed to the relevant student government or Registered Student Organization, including costs in the first year for designing and implementing the pledge billing system. Such assessed costs cannot exceed the actual costs incurred for billing and collection of the fee, including the pledge mechanism. The pledge system should be cost efficient and compatible with the UCSD registration and billing systems and cost efficiency goals. The student government or Registered Student Organization shall collaborate with the University and with UCSD to identify methods for promoting cost efficiency.

Comment [BW15]: Guidelines 8

18.11.18.28. At the discretion of the Vice Chancellor-Student Affairs, all or a part of the actual costs of collection of voluntary contributions to benefit a student government may or may not be required to be borne by the student government.

Comment [BW16]: PACAOS 90.13

18.11.18.29. In the event of a change in billing procedures or any other changes which would affect how the voluntary student contribution is collected, campuses may discuss with the student government or Registered Student Organization how proposed changes in billing procedures may affect the collection of the voluntary student contribution. The student government or Registered Student Organization shall be notified of the need for changes as far in advance as possible to ensure that the student government or Registered Student Organization has adequate time to make any necessary adjustments.

Comment [BW17]: Guidelines 8.1

18.11.18.30. A student who has pledged to pay a voluntary student contribution in support of the student government or Registered Student Organization may revoke the pledge by written request or other format as provided by the written agreement.

Comment [BW18]: Guidelines 9

18.11.18.31. A student may revoke a pledge by submitting any of the following which must include the student's name, signature (including electronic signature), date of signature, and registration identification number: (1) a pledge reversal form, (2) a letter to the Registrar or other appropriate

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~~UCSD official, or (3) a handwritten statement on the student's billing statement. 18.11.18.32. A date shall be set by the parties to the written agreement for each academic term by which time all pledge reversal forms must be submitted to the designated UCSD official in order to be effective for the next term's billing statement. 18.11.18.33. Once a student has submitted a pledge revocation notice, per Section 18.11.18.31 above, that the student no longer wishes to pay the voluntary contribution, UCSD shall no longer bill the student for the fee and the student's billing status should be the same as the billing status of a student who has not pledged to pay the voluntary contribution.~~

Comment [BW19]: Guidelines 9.1

Comment [BW20]: Guidelines 9.3

Comment [BW21]: Guidelines 9.4

~~18.11.18.34. If a student has pledged to pay the voluntary student contribution, but pays less than the total amount of all fees due, it will be presumed conclusively that any shortfall, up to the amount of the pledge, was a failure to pay all or part of the voluntary student contribution.~~

Comment [BW22]: Guidelines 10

~~18.11.18.35. Once a student has pledged to pay a voluntary student contribution, failure to pay the contribution in any given academic term shall not be interpreted as failure to pay required fees for registration purposes. Therefore, a student's registration shall not be held up, nor shall a student be dropped from classes, because the student did not pay the voluntary student contribution.~~

Comment [BW23]: Guidelines 10.1

~~18.11.18.36. In the absence of an official revocation, failure to pay the voluntary student contribution as pledged in a given academic term shall not be interpreted as an intention to revoke the pledge.~~

Comment [BW24]: Guidelines 10.2

~~18.11.18.37. If a student underpays his or her contribution, UCSD, at its option, may include the voluntary student fee on "late bills" sent to the student. However, it shall not be expected that UCSD will send "late bills" if the amount unpaid is equal to or less than the total amount of the voluntary student contribution or if UCSD does not send "late bills" routinely.~~

Comment [BW25]: Guidelines 10.3

~~18.11.18.38. Voluntary student contributions shall not be considered in determining a student's need for financial aid, and payment of the voluntary student contribution shall be made in accordance with Federal, State, University, and UCSD student financial aid policy.~~

Comment [BW26]: Guidelines 11

~~18.11.18.39. University/UCSD shall not be obligated to undertake responsibilities on behalf of the student government or Registered Student Organization beyond those specified in this Policy.~~

Comment [BW27]: Guidelines 12

~~18.11.18.40. Disclosure of information regarding students who provide voluntary student contribution pledges must be made in accordance with Federal and State privacy laws and University/UCSD policy.~~

Comment [BW28]: Guidelines 13

~~18.12. Establishing, Increasing, Reducing, or Eliminating Compulsory Campus-Based Student Fees: Compulsory campus-based fees include fees levied at UCSD that must be paid by all registered students to whom the fee applies to fund (1) student-related services and programs, including, but not limited to, referenda-based student health insurance programs; (2) construction and renovation of student facilities such as student centers and recreation facilities; and (3) student governments, Registered Campus Organizations via a viewpoint-neutral reallocation by a student government, and student government and Registered Campus Organization-related programs and activities. (See section 18.13.10.12)~~

Comment [BW29]: PACAOS 81.10 ¶11

~~18.12.10. This policy does not apply to University-wide fees, to non-referenda-based campus health insurance fees that may be assessed to meet a non-academic condition of enrollment established by either The Regents or the President, to fees related to instruction, or to campus-based miscellaneous fees that require either the Chancellor's or the President's approval.~~

Comment [BW30]: PACAOS 81.10 ¶12

~~18.12.11. Referendum Requirements: Compulsory campus-based student fees may only be established, increased or renewed following a referendum in which students vote in favor of the compulsory fees, except as provided in these Policies.~~

Comment [BW31]: PACAOS 82.00

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~~18.12.11.10. Any compulsory campus-based student fee approved as either a new fee, or as an increase to or renewal of an existing fee, shall provide for fee revenue for local need-based financial aid ("return-to-aid") to be set aside in an amount equal to at least 25% of the total new fee, fee increase, or fee renewal, as appropriate. The return-to-aid generated by undergraduate students shall be reserved for undergraduate financial support and the return-to-aid generated by graduate and professional students shall be reserved for graduate and professional student financial support. Any campus-based fee that is charged to a student as a premium to purchase health insurance for that student shall be exempt from any return-to-aid requirement. This exemption shall not extend to campus-based fees that have been approved by students through the referendum process for the purpose of providing direct support to campus student health services.~~

Comment [BW32]: PACAOS 81.20 ¶11

Comment [BW33]: PACAOS 81.20 ¶13

~~18.12.11.11. A proposed new compulsory campus-based fee or proposed increase or proposed renewal to any existing such fee (except as specified in Section 18.12.13 of this Policy) must be voted on by students as a separate ballot measure in a student referendum, except that multiple proposed new such fees or fee increases or renewals may be aggregated into a single ballot measure where the proposed fees or fee increases or renewals strongly and clearly support a common student life, student service, or other programmatically related goal.~~

Comment [BW34]: PACAOS 84.14

~~18.12.11.12. The actual language of any ballot measure in a student referendum that is intended to fund either construction of a new building or other facility, or major renovation of an existing building or other facility must explicitly state:~~

Comment [BW35]: PACAOS 84.15

~~(1) Whether the fee will be continued following retirement of the original debt on the new construction or major renovation, and~~

Comment [BW36]: PACAOS 84.15.1

~~(2) If the fee is to be continued, the purpose or purposes for which the fee will be used, as well as the mechanism that will be used to determine the level at which the fee will be set, following retirement of the original debt.~~

Comment [BW37]: PACAOS 84.14.2

~~18.12.11.13. A payment by students of compulsory campus-based student fees to support student-referendum-funded construction of new buildings or other facilities, or major renovation of existing buildings or other facilities, may be initiated only from the time that students can actually benefit from and use the new or renovated building or other facility, except as specified immediately below.~~

Comment [BW38]: PACAOS 84.16 ¶11

~~A campus referendum may assess students a pro rata percentage of any such fee in advance of completion of the new or renovated building or other facility for the purpose of supporting the design and planning costs, project mitigations, and financing costs associated with construction or renovation of the building or other facility, provided that both the purpose and level of this assessment are approved by students as part of the ballot measure language in the original referendum.~~

Comment [BW39]: PACAOS 84.16 ¶12

~~18.12.11.14. V. Student Consultation: A request to establish a compulsory fee to be assessed on UCSD students must be endorsed by the student government elected to represent the students affected by the proposed fee prior to the setting of the date for the referendum as described in subsections 18.12.11.14.10 through 18.12.11.14.13 below.~~

~~18.12.11.14.10. The request for the establishment of campus-wide undergraduate student compulsory fees must be approved by the UCSD Associated Students Council.~~

~~18.12.11.14.11. The request for the establishment of campuswide graduate student compulsory fees assessed on graduate students must be approved by the UCSD Graduate Student Association.~~

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~~18.12.11.14.12. The request for the establishment of college-based compulsory fees must be approved by the duly appointed college governmental body. (See section 18.14 for the guidelines regarding the student consultation process related to campus-based fee-funded facilities.)~~

~~18.12.11.15. SPECIAL AND GENERAL ELECTION VOTING POOLS AND BALLOTING~~

~~REQUIREMENTS: In a referendum during any election, the referendum will pass if (a) the number of students casting ballots equals or exceeds 20% of all students eligible to vote during the academic quarter in which the special or general election is held and (b) the number of affirmative votes exceeds half the total votes cast on the specific referendum question.~~

~~18.12.11.16. All referenda results are advisory to the Chancellor and, conditional on the 's recommendation, are subject to final approval by the President under the President's delegated authority from The Regents.~~

~~18.12.12. Requirements for REDUCING OR ELIMINATING A COMPULSORY CAMPUS-BASED STUDENT FEE~~

~~18.12.12.10. Compulsory campus-based student fees cannot be reduced or eliminated when the campus-based student fee is necessary to meet legal requirements and contractual obligations and other commitments such as income projections, debt service and/or funding covenants of a building or facility that is funded wholly or in part by campus-based student fees.~~

~~18.12.12.11. Students may initiate a reduction or elimination of compulsory campus-based student fees, prior to their expiration, by a referendum in which students vote in favor of reducing or eliminating the fee in accordance with the applicable referendum requirements set forth in Sections 18.12.11 through 18.12.11.15.~~

~~18.12.13. Exceptions to the Student Fee Referendum Requirements: An increase in compulsory campus-based student fees may be approved by The Regents subject to the President's and the Chancellor's recommendation, and does not require a student referendum, under any of the following circumstances:~~

~~18.12.13.10. When the original referendum language approved by students in a student election specifically allows the Chancellor to increase a compulsory campus-based student fee.~~

~~18.12.13.11. When the Chancellor determines that an increase is necessary for the health and safety of students and when the fee is related to maintaining the safety of a building or facility that is funded wholly or in part by compulsory campus-based student fees. Safety issues are those that are potentially dangerous consistent with the standards set forth in the University Policy on Seismic Safety and the University Policy on Management of Health, Safety, and the Environment, as determined by the Chancellor with the concurrence of the Office of the President, such as those that relate to the risk of fire, the presence of asbestos, or the existence of seismic or other structural deficits. For buildings or facilities with multiple uses, whenever possible, the costs to students for funding safety-related or health-related maintenance should be based on the proportion of current non-academic student use of the facility. Any new fee, or any increase to or renewal of an existing fee, established under the provisions of this Section shall be retired once the fee's stated purpose is fulfilled. Upon the recommendation of the President, the Chancellor may petition The Regents for continuation of any such new fee, fee increase, or fee renewal in advance of its retirement.~~

~~18.12.13.12. When the fee increase is necessary to meet legal requirements (such as new code requirements) or contractual obligations (such as income projections) specified in the funding covenants of a building or facility that is funded wholly or in part by campus-based student fees. For buildings or facilities with multiple uses, whenever possible the costs to students for such increases should be based on the proportion of current non-academic student use of the facility.~~

~~18.12.13.13. The Regents have authority to impose fees for any University purpose. All campus-based student fees at a campus must be approved by the Chancellor of that campus, except that no compulsory campus-based student fees shall be effective until also approved either by The Regents or by the President under the President's delegated authority, as appropriate.~~

Comment [BW40]: PACAOS 84.20

Comment [BW41]: PACAOS 85.00 or UCSD Campus Policy - REVIEW

Comment [BW42]: PACAOS 83.10

Comment [BW43]: PACAOS 83.11.

Comment [BW44]: PACAOS 83.12 ¶11

Comment [BW45]: PACAOS 83.12 ¶13

Comment [BW46]: PACAOS 83.12 ¶12

Comment [BW47]: PACAOS 83.13

Comment [BW48]: PACAOS 80.00

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~~18.13. Support For Registered Student Organizations And Related Programs And Activities From Compulsory Campus-Based Student Fees~~

~~18.13.10. Conditions for Support~~

~~18.13.10.10. UCSD compulsory student fees allocated to student governments may be reallocated to support Registered Student Organizations and Registered Student Organization-related programs and activities consistent with the University's and UCSD's educational purposes in providing such support, as set forth in Section 18.13.11 below. The process for making such reallocations must be based solely on viewpoint neutral criteria, as set forth in Section 18.13.12 below.~~

Comment [BW49]: PACAOS 86.00

Comment [BW50]: PACAOS 86.10

V. PRO RATA REFUNDS

~~18.13.10.11. A Registered Student Organization that is preponderantly or exclusively funded by a student government or other campus entity from compulsory campus-based student fees shall primarily have UCSD students as its members. Programs and activities of a Registered Student Organization funded from compulsory campus-based student fees shall be open to participation by the entire campus community. In addition, all expenditures relating to programs and activities of a Registered Student Organization (whether the program or activity takes place on- or off-campus) that are funded from such fees must be under the direct control of UCSD students.~~

Comment [BW51]: PACAOS 86.11

~~18.13.10.12. The referendum process set forth in these Policies in Section 18.10, and following, shall not be accessible to a Registered Student Organization or any student group other than a student government for the purpose of establishing a compulsory student fee to support itself or its program's activities. The foregoing is not intended to preclude access to the referendum process by any administrative unit of the University, subject to appropriate student consultation. Support for a Registered Student Organization or any student group other than a student government from compulsory campus-based student fees must be in the form of a reallocation from student government or other appropriate campus entity to the Registered Student Organization or other student group. All such reallocations must be made consistent with the requirements for viewpoint neutral funding set forth in Sections 18.13.11 and 18.13.12 below.~~

Comment [BW52]: PACAOS 86.12

~~18.13.10.13. A student government in consultation with the Vice Chancellor-Student Affairs, or the Vice Chancellor-Student Affairs with the concurrence of the student government, may establish and administer a mechanism providing for a pro rata refund to any student of that portion of his or her student government fees that has been allocated by the student government or other campus entity to support a particular Registered Student Organization or Registered Student Organization-related program or activity.~~

Comment [BW53]: PACAOS 86.13 states "in consultation with campus". Local implementing inserts "Vice Chancellor – Student Affairs".

~~18.13.10.13.10. Students who believe that any portion of their compulsory student government fees support political, ideological, or religious organizations or activities may seek a pro rata refund of that portion of their compulsory student fees that were used to support such activity. Requests for refunds of any portion of compulsory student government fees shall be processed in accordance with the procedures set forth in these regulations in Section 23.00 Student Grievance Procedures. The student government body collecting the fee will be responsible for costs of litigation that are incurred as a result of a violation of these regulations.~~

Comment [BW54]: PACAOS 64.20

~~18.13.10.13.11. For any student who successfully asserts that a Registered Student Organization, or any activity of any such organization funded by a separate allocation, is predominantly political, religious, or ideological in nature, the student government body collecting the fee will provide for a pro rata refund directly from the organization to the student of that portion of his or her compulsory student fees that has been allocated to support the organization or separately funded activity under challenge.~~

~~18.13.11. The University's Educational Purposes~~

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~~18.13.11.10. The University's educational purposes are served when reallocations by a student government or other campus entity of compulsory campus-based student fees to support Registered Student Organizations and Registered Student Organization-related programs and activities are made: (1) to provide opportunities for the educational benefits and personal and social enrichment that derive from participation in extracurricular programs and activities; and (2) to stimulate on-campus discussion and debate on a wide range of issues from a variety of viewpoints.~~

~~18.13.11.11. Consistent with the purposes set forth in Section 18.13.11.10 above, such reallocations shall only be made to support either the general organizational expenses of Registered Student Organizations and Registered Student Organization-related programs and activities or their associated communicative purposes.~~

~~18.13.11.12. In addition, allocation decisions to support Registered Student Organizations and Registered Student Organization-related programs and activities must be made without regard to the viewpoint of a particular Registered Student Organization or Registered Student Organization-related program or activity, and must be balanced in relation to the support provided to other Registered Student Organizations or Registered Student Organization-related programs and activities in similar circumstances.~~

Comment [BW55]: PACAOS 86.20

~~18.13.12. UCSD Procedures and Criteria to Assure Viewpoint Neutrality~~

~~18.13.12.10. In fulfilling the University's educational purposes, UCSD shall have responsibility for ensuring that student governments and, as applicable, other campus reallocation entities, maintain procedures and criteria for making specific reallocation decisions for the support of Registered Student Organizations and Registered Student Organization-related programs and activities from compulsory campus-based student fees. Such procedures and criteria must be viewpoint-neutral in their nature; that is, they must be based upon considerations which do not include approval or disapproval of the viewpoint of the Registered Student Organization or any of its related programs or activities.~~

Comment [BW56]: PACAOS 86.30

~~18.13.12.11. Criteria appropriate to be given balanced consideration in the making of viewpoint neutral reallocation decisions might include, but are not limited to: the objectively documented organizational needs of the Registered Student Organization based on membership size; its office or equipment requirements; the extent of financial support the Registered Student Organization receives from other sources; or the production costs associated with a particular event or series of events the Registered Student Organization typically sponsors. Such sponsored events, supported in whole or in part by compulsory campus-based student fees, need not avoid controversial political, religious, or ideological content, subject to the understanding that under current University policy (see University of California Policies Applying to Campus Activities, Organizations and Students, Section 30.20 of the Policy on Speech and Advocacy) UCSD has a responsibility to assure an ongoing opportunity for the expression of a variety of viewpoints.~~

Comment [BW57]: PACAOS 86.31

~~18.13.12.12. Student governments or other campus entities responsible for reallocating compulsory campus-based student fees must:~~

~~(a) A. Publicize widely and regularly to Registered Student Organizations, either through publication in *the The UCSD Guardian*, by posting to an electronic bulletin board, or by other appropriate means, the availability of such funds to support Registered Student Organizations on a viewpoint-neutral basis, as well as the viewpoint-neutral criteria on the basis of which such funds will be reallocated;~~

Comment [BW58]: PACAOS 86.32

~~B. (b) A. assure that communications to Registered Student Organizations on the availability of such funds be made in a timely fashion, and be reiterated periodically during the year as long as such funds remain available, to ensure sufficient time for the preparation of funding proposals in advance of funding decisions; and~~

Comment [BW59]: PACAOS 86.32

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~~C. (c) Provide students with a reasonable time to request consideration for a refund.~~

~~18.13.12.13. Student governments or other campus entities responsible for reallocating compulsory campus-based student fees must provide for: (a) documentation of all funding processes available to Registered Student Organizations, including notice of the opportunity to apply for funding and the criteria upon which funding requests will be judged, consistent with Section 18.13.12.11 above; (b) documentation of all funding requests by Registered Student Organizations and actions taken by the student government or other campus entities with reference to the published funding criteria in response to such requests; and (c) a formal process that allows Registered Student Organizations or individual students to appeal, in a reasonable and timely manner, funding decisions regarding particular Registered Student Organizations or Registered Student Organization-related programs and activities made by the student government or other campus reallocating entities.~~

Comment [BW60]: PACAOS 86.33

~~18.13.12.13.10. The student government body collecting the fee will use the procedures set forth in the UCSD Policies and Procedures Applying to Student Activities, Section 23.00, to evaluate challenges by students seeking a pro rata refund of that portion of their compulsory student fees allocated to support a Registered Student Organization or separately funded activity of any such organization asserted to be predominantly political, religious, or ideological in nature.~~

~~18.13.12.13.11. The student government body collecting the fee will provide for a prompt pro rata refund to any student whose challenge is sustained by the review procedure.~~

~~18.13.12.14. Compulsory campus-based student fees may be reallocated to pay for speakers sponsored by Registered Student Organizations. Over time, such events should stimulate on-campus discussion and debate from a wide range of viewpoints on a variety of issues.~~

Comment [BW61]: PACAOS 86.34

~~18.13.13. Legal Review of Campus Procedures and Criteria: Campus procedures and criteria for reallocation of compulsory campus-based student fees to support Registered Student Organizations and Registered Student Organization-related programs and activities on a viewpoint-neutral basis must be reviewed by the Office of the General Counsel to ensure that the procedures and criteria are consistent with the law and these Policies. In addition, campuses are advised to consult with the Office of the General Counsel should a question arise about whether a particular reallocation is viewpoint-neutral in nature and meets the University's educational purposes as specified in Section 18.13.11 of these Policies.~~

Comment [BW62]: PACAOS 86.40

~~18.13.14. Transfer of Compulsory Campus-based Student Fees to Non-University Entities~~

~~18.13.14.10. Compulsory campus-based student fees may be expended by a student government, Registered Student Organization, or other campus entity to cover the expenses of direct participation by UCSD students in a particular non-UCSD-sponsored educational program or activity. Such fees may also be expended in payment of applicable dues necessary to sustain membership by a student government or Registered Campus Organization in national and other regional non-UCSD associations at the basic level established by such associations, so long as the level of any such assessment is in line with what is assessed similar student organizations at other institutions comparable in size and nature to the UCSD as a requirement of basic membership.~~

~~18.13.14.11. Except as provided in Section 18.13.14.12, immediately below, memberships at a preferential level that require the payment of higher periodic dues than what is required to sustain basic membership, or the assessment by such non-UCSD associations of supplemental contributions from their members as an expectation, but not a requirement, of continued membership, may not be supported from compulsory campus-based student fees.~~

Comment [BW63]: PACAOS 87.00 ¶11

~~18.13.14.12. Other than for considerations of basic membership as set forth Section 18.13.14.10 above, additional transfers of funds from compulsory campus-based fees by a student government, Registered Student Organization, or other campus entity to such non-UCSD associations may be made only when~~

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~~they can be justified, in advance of the transfer, to the Vice Chancellor-Student Affairs as providing a direct educational benefit to UCSD students commensurate with the proposed expenditure.~~

Comment [BW64]: PACAOS 87.00 ¶12

~~18.13.14.13. Compulsory campus-based student fees may not otherwise be expended by a student government, Registered Student Organization, or other campus entity in support of, or be otherwise transferred to, a non-UCSD organization, program, or activity, except in payment for goods and services directly necessary to the operation of that student government, Registered Student Organization, or other campus entity, its programs or activities.~~

Comment [BW65]: PACAOS 87.00 ¶13

~~18.13.14.14. The referendum process set forth in Section 18.10 of these Policies shall not be available either to establish a new compulsory campus-based student fee, or to lock in an increase to an existing such fee, for the purpose of supporting any non-UCSD organization, program, or activity.~~

Comment [BW66]: PACAOS 87.00 ¶14

~~18.14. VI. Student Consultation For~~ STUDENT FEE-FUNDED FACILITIES

~~The procedures described in the following subsections of Section 18.14 apply to referenda, planning, construction, finance, and other aspects of a facility to be funded by compulsory campus-based student fees ("Facility Fee").~~

~~18.14.10. Referenda to establish a Facility Fee must adhere to mandatory campus-based student fee referendum guidelines described in Section 18.12 of this Policy. No more than one referendum shall be held in a given academic year for a particular proposed facility.~~

~~18.14.11. An assessment of student needs for the proposed facility must be conducted prior to placing a referendum on the ballot. Information for the required assessment may be collected from a survey of students and consultation with student governments, or by other means approved by the Vice Chancellor-Student Affairs. Students must be involved in this needs assessment process.~~

~~18.14.12. If the UCSD administration provides funding and opportunities for dissemination of information about a Facility Fee referendum, it shall provide equal funding and opportunities for a student representative (individual or group) promoting opposing arguments or points of view.~~

~~18.14.13. The following types of facilities shall not be funded by a Facility Fee:~~

~~(a) A. F facilities primarily used as classrooms, laboratories, or other instructional facilities;~~

~~(b) B. F facilities providing office space for non-student related use;~~

~~C. (c) F facilities exclusively for commercial or rental use, such as bookstores and food service facilities.~~

~~18.14.14. Prior to placing a Facility Fee referendum on the ballot, the appropriate student governments and the Vice Chancellor-Student Affairs Vice Chancellor-Student Affairs must approve a Facility Advisory Board ("FAB") charter. The jurisdiction of the FAB shall include, but not necessarily be limited to, space allocation, general use policy, rent assessment, custodial standards, capital improvements, maintenance and renovation, purchase of equipment, and hours of operation.~~

~~18.14.16. More than half the voting members of the FAB must be students appointed by appropriate student governments and other relevant student groups as determined by the Vice Chancellor-Student Affairs.~~

~~18.14.17. Any subcommittee established by the FAB must have at least one student member. Selection of this member shall be subject to majority approval by a majority vote of the FAB. This provision does not exclude subcommittee membership of other students, nor does it require full FAB approval for other students.~~

~~18.14.18. Students must serve on any search committee to select management personnel and must participate in the evaluation process for management level personnel of a facility funded by a Facility Fee.~~

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Such student service and participation must be in accordance with applicable UC and UCSD policies and procedures.

~~18.14.19.~~ The FAB ~~shall will~~ prepare and publish a report ("FAB Report") that contains a complete program statement and describes the space plan for the proposed facility. ~~The report will also include:~~

~~18.14.20. A. The FAB Report shall also include Aa~~ cost-effective financial plan for the proposed facility. The financial plan shall, through appropriate combination of funding sources, make Facility Fee assessments as small as reasonably possible. The financial plan shall also explicitly describe any charges for facility users who will not be assessed the Facility Fee for the proposed facility.

~~18.14.21. The FAB Report shall include B. Ss~~ specific guidelines regarding bond repayment and the period over which Facility Fee is to be assessed.

~~18.14.22. The FAB Report shall include C. R~~ recommendations to the ~~Vice Chancellor-Student Affairs~~ ~~Vice Chancellor-Student Affairs~~ for a facility site, an architect, and a procedure for naming the facility.

~~18.14.23.~~ The FAB Report must be completed and disseminated as a public document during the fall, winter, or spring academic quarters. In particular, the report shall be distributed to the student governments and other campus groups as deemed appropriate by the FAB or the ~~Vice Chancellor-Student Affairs~~ or her/his designee.

VOLUNTARY STUDENT CONTRIBUTIONS AND COMPULSORY STUDENT FEES

I. ESTABLISHMENT OR INCREASE OF FEES

Voluntary student contributions and compulsory student fees must be approved by the Chancellor. Compulsory fees must also be approved either by The Regents or by the President.

Requests for the establishment or increase of a compulsory fee or voluntary student contribution must be submitted for review to the Vice Chancellor-Student Affairs at least five weeks prior to the proposed date of the referendum for establishing the fee or contribution. In addition, such requests must be endorsed by the Assistant Vice-Chancellor Student Life. Requests for college-based compulsory fees or voluntary student contributions must be endorsed by the official student government of the College, the College Dean of Students and College Provost.

A request to establish a compulsory fee to be assessed on UCSD students must be endorsed by the student government elected to represent the students affected by the proposed fee prior to the setting of the date for the referendum.

A. The request for the establishment of campus-wide undergraduate student compulsory fees must be endorsed by the UCSD Associated Students Council.

B. The request for the establishment of campus wide graduate student compulsory fees assessed on graduate students must be endorsed by the UCSD Graduate Student Association.

C. The request for the establishment of college-based compulsory fees must be endorsed by the duly appointed college governmental body.

All requests must contain the following information:

A. Date the proposed referendum was approved by the appropriate student governmental body and terms of passage (for example, approved by 2/3 vote of the College Council).

B. Proposed referendum date.

C. Proposed fee level and effective date of the new fee level.

D. Purpose of the new fee or fee increase and how the fee revenue will be used (i.e., justification).

E. A statement which shall specify the amount of the "return-to-aid" from the proposed fee for financial aid.

F. Proposed ballot language. (The ballot language should include a statement that the fee will be charged each academic quarter beginning in [Insert Date]).

G. Approved criteria (i.e., referendum guidelines) for establishing or increasing a compulsory fee, including voting pool requirements and requirements for at least a majority vote approval (for example, 20% of registered students with passage by a simple majority).

H. A statement that the proposed voting criteria are in compliance with the applicable student fee policies described in Section 18.00 of the UCSD Policies and Procedures Applying to Student Activities and, for a college-based request, that it also complies with the college Election/Referendum Guidelines or Constitution and Bylaws.

I. Election Procedures -- How the election will be conducted (e.g., paper ballot, TritonLink).

J. Campaign Procedures -- How the election, presenting both pro and con positions, will be publicized to the affected student body, and in what form.

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K. A copy of the approved applicable student government constitutions, bylaws and/or guidelines.

The proposed referendum must be approved by the [Vice Chancellor-Student Affairs](#) and the [Chancellor](#) prior to the election.

II. REFERENDUM VOTING RULES

In a referendum during any election, the referendum will pass if:

- A. The number of students casting ballots equals or exceeds 20% of all students eligible to vote during the academic quarter in which the special or general election is held; and
- B. The number of affirmative votes exceeds half the total votes cast on the specific referendum question.

Whether student approval of voluntary student contributions is through referendum or resolution, voluntary student contributions may only be implemented with the approval of the Chancellor, who may take into account other relevant matters.

III. VOLUNTARY STUDENT CONTRIBUTIONS

In the case of student government, provisions that student government funds will be used to pay for the costs of defense and any judgment in any legal action which may arise in connection with the agreement.

For a continuation referendum to pass, the vote requirements are the same as in Section II above. If the continuation referendum is not held or does not achieve passage, the pledge system in question will be terminated.

Billing statements will direct students to information about non-payment procedures and voluntary contribution revocation procedures.

IV. REDUCING OR ELIMINATING A COMPULSORY CAMPUS-BASED STUDENT FEE

Compulsory campus-based student fees cannot be reduced or eliminated when the campus-based student fee is necessary to meet legal requirements and contractual obligations and other commitments such as income projections, debt service and/or funding covenants of a building or facility that is funded wholly or in part by campus-based student fees.

Students may initiate a reduction or elimination of compulsory campus-based student fees, prior to their expiration, by a referendum in which students vote in favor of reducing or eliminating the fee in accordance with applicable referendum requirements.

V. PRO RATA REFUNDS

A student government in consultation with the Vice Chancellor-Student Affairs, or the Vice Chancellor-Student Affairs with the concurrence of the student government, may establish and administer a mechanism providing for a pro rata refund to any student of that portion of his or her student government fees that has been allocated by the student government or other campus entity to support a particular Registered Student Organization or Registered Student Organization-related program or activity.

For any student who successfully asserts that a Registered Student Organization, or any activity of any such organization funded by a separate allocation, is predominantly political, religious, or ideological in nature, the student government body collecting the fee will provide for a pro rata refund directly from the organization to the student of that portion of his or her compulsory student fees that has been allocated to support the organization or separately funded activity under challenge.

Student governments or other campus entities responsible for reallocating compulsory campus-based student fees must:

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A. Publicize widely and regularly to Registered Student Organizations, either through publication in *The UCSD Guardian*, by posting to an electronic bulletin board, or by other appropriate means, the availability of such funds to support Registered Student Organizations on a viewpoint-neutral basis, as well as the viewpoint-neutral criteria on the basis of which such funds will be reallocated;

B. Assure that communications to Registered Student Organizations on the availability of such funds be made in a timely fashion, and be reiterated periodically during the year as long as such funds remain available, to ensure sufficient time for the preparation of funding proposals in advance of funding decisions; and

C. Provide students with a reasonable time to request consideration for a refund.

The student government body collecting the fee will use the procedures set forth in the UCSD Policies and Procedures Applying to Student Activities, Section 23.00, to evaluate challenges by students seeking a pro rata refund of that portion of their compulsory student fees allocated to support a Registered Student Organization or separately funded activity of any such organization asserted to be predominantly political, religious, or ideological in nature.

The student government body collecting the fee will provide for a prompt pro rata refund to any student whose challenge is sustained by the review procedure.

VI. STUDENT FEE-FUNDED FACILITIES

The procedures described in the following subsections of Section 18.14 apply to referenda, planning, construction, finance, and other aspects of a facility to be funded by compulsory campus-based student fees ("Facility Fee").

Referenda to establish a Facility Fee must adhere to mandatory campus-based student fee referendum guidelines described in Section 18.12 of this Policy. No more than one referendum shall be held in a given academic year for a particular proposed facility.

An assessment of student needs for the proposed facility must be conducted prior to placing a referendum on the ballot. Information for the required assessment may be collected from a survey of students and consultation with student governments, or by other means approved by the Vice Chancellor-Student Affairs. Students must be involved in this needs assessment process.

If the UCSD administration provides funding and opportunities for dissemination of information about a Facility Fee referendum, it shall provide equal funding and opportunities for a student representative (individual or group) promoting opposing arguments or points of view.

The following types of facilities shall not be funded by a Facility Fee:

A. Facilities primarily used as classrooms, laboratories, or other instructional facilities;

B. Facilities providing office space for non-student related use;

C. Facilities exclusively for commercial or rental use, such as bookstores and food service facilities.

Prior to placing a Facility Fee referendum on the ballot, the appropriate student governments and the Vice Chancellor-Student Affairs must approve a Facility Advisory Board ("FAB") charter. The jurisdiction of the FAB shall include, but not necessarily be limited to, space allocation, general use policy, rent assessment, custodial standards, capital improvements, maintenance and renovation, purchase of equipment, and hours of operation.

More than half the voting members of the FAB must be students appointed by appropriate student governments and other relevant student groups as determined by the Vice Chancellor-Student Affairs.

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Any subcommittee established by the FAB must have at least one student member. Selection of this member shall be subject to majority approval by a majority vote of the FAB. This provision does not exclude subcommittee membership of other students, nor does it require full FAB approval for other students.

Students must serve on any search committee to select management personnel and must participate in the evaluation process for management level personnel of a facility funded by a Facility Fee. Such student service and participation must be in accordance with applicable UC and UCSD policies and procedures.

The FAB will prepare and publish a report ("FAB Report") that contains a complete program statement and describes the space plan for the proposed facility. The report will also include:

- A. A cost-effective financial plan for the proposed facility. The financial plan shall, through appropriate combination of funding sources, make Facility Fee assessments as small as reasonably possible. The financial plan shall also explicitly describe any charges for facility users who will not be assessed the Facility Fee for the proposed facility.
- B. Specific guidelines regarding bond repayment and the period over which Facility Fee is to be assessed.
- C. Recommendations to the Vice Chancellor-Student Affairs for a facility site, an architect, and a procedure for naming the facility.

The FAB Report must be completed and disseminated as a public document during the fall, winter, or spring academic quarters. In particular, the report shall be distributed to the student governments and other campus groups as deemed appropriate by the FAB or the Vice Chancellor-Student Affairs or her/his designee.